

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 3-10-9-3 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. If a local public
- 5 question must be certified to an election board by law, that certification
- 6 must occur no later than noon:
- 7 (1) sixty (60) days before a primary election if the public question
- 8 is to be placed on the primary or municipal primary election
- 9 ballot; ~~or~~
- 10 (2) August 1 if the public question is to be placed on the general
- 11 or municipal election ballot; ~~or~~
- 12 **(3) except as otherwise provided by law, sixty (60) days before**
- 13 **a special election if the public question is to be placed on a**
- 14 **special election ballot."**
- 15 Page 3, delete lines 10 through 42.
- 16 Delete pages 4 through 5.
- 17 Page 6, delete lines 1 through 5.
- 18 Page 68, delete lines 26 through 42, begin a new paragraph and
- 19 insert:
- 20 "SECTION 82. IC 6-1.1-17-3, AS AMENDED BY P.L.234-2005,
- 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 UPON PASSAGE]: Sec. 3. (a) **Before August 10 of a calendar year,**
- 23 the proper officers of a political subdivision shall formulate its
- 24 estimated budget and its proposed tax rate and tax levy on the form
- 25 prescribed by the department of local government finance and approved

by the state board of accounts. The political subdivision shall give notice by publication to taxpayers of:

- (1) the estimated budget;
- (2) the estimated maximum permissible levy;
- (3) the current and proposed tax levies of each fund; and
- (4) the amounts of excessive levy appeals to be requested.

In the notice, the political subdivision shall also state the time and place at which a public hearing will be held on these items. The notice shall be published twice in accordance with IC 5-3-1 with the first publication at least ten (10) days before the date fixed for the public hearing.

(b) Before August 10 of a calendar year, the county auditor shall mail to the last known address of each person liable for any property taxes, as shown on the tax duplicate, or to the last known address of the most recent owner shown in the transfer book, a statement that includes:

(1) the assessed valuation as of the assessment date in the current calendar year of tangible property on which the person will be liable for property taxes first due and payable in the immediately succeeding calendar year and notice to the person of the opportunity to appeal the assessed valuation under IC 6-1.1-15-1(b);

(2) the amount of property taxes for which the person will be liable to each political subdivision on the tangible property for taxes first due and payable in the immediately succeeding calendar year, taking into account all factors that affect that liability, including:

(A) the estimated budget and proposed tax rate and tax levy formulated by the political subdivision under subsection (a);

(B) any deductions or exemptions that apply to the assessed valuation of the tangible property;

(C) any credits that apply in the determination of the tax liability; and

(D) the county auditor's best estimate of the effects on the tax liability that might result from actions of the county board of tax adjustment or the department of local government finance;

(3) a prominently displayed notation that:

(A) the estimate under subdivision (2) is based on the best information available at the time the statement is mailed; and

(B) based on various factors, including potential actions by the county board of tax adjustment or the department of local government finance, it is possible that the tax liability as finally determined will differ substantially from the estimate;

(4) comparative information showing the amount of property taxes for which the person is liable to each political subdivision on the tangible property for taxes first due and payable in the current year; and

(5) the date, time, and place at which the political subdivision will hold a public hearing on the political subdivision's estimated budget and proposed tax rate and tax levy as required under subsection (a).

(c) The department of local government finance shall:

(1) prescribe a form for; and

(2) provide assistance to county auditors in preparing; statements under subsection (b).

~~(b)~~ (d) The board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal) may conduct the public hearing required under subsection (a):

(1) in any county of the solid waste management district; and

(2) in accordance with the annual notice of meetings published under IC 13-21-5-2.

~~(c)~~ (e) The trustee of each township in the county shall estimate the amount necessary to meet the cost of township assistance in the township for the ensuing calendar year. The township board shall adopt with the township budget a tax rate sufficient to meet the estimated cost of township assistance. The taxes collected as a result of the tax rate adopted under this subsection are credited to the township assistance fund.

~~(d)~~ A county shall adopt with the county budget and the department of local government finance shall certify under section 16 of this chapter a tax rate sufficient to raise the levy necessary to pay the following:

~~(1)~~ The cost of child services (as defined in IC 12-19-7-1) of the county payable from the family and children's fund:

~~(2)~~ The cost of children's psychiatric residential treatment services (as defined in IC 12-19-7.5-1) of the county payable from the children's psychiatric residential treatment services fund:

A budget, tax rate, or tax levy adopted by a county fiscal body or approved or modified by a county board of tax adjustment that is less than the levy necessary to pay the costs described in subdivision (1) or (2) shall not be treated as a final budget, tax rate, or tax levy under section 11 of this chapter.

(f) Mailing the statement described in subsection (b) to a mortgagee maintaining an escrow account for a person who is liable for any property taxes shall not be construed as compliance with subsection (b).".

Delete page 69.

Page 70, delete lines 1 through 35.

Page 75, line 24, after "in" insert ":

(A)".

1 Page 75, line 24, after "repeal)" insert ";

2 Page 75, line 24, strike "or".

3 Page 75, line 25, before "IC 6-1.1-20-3.1" begin a new line double
4 block indented and insert:

5 **"(B)".**

6 Page 75, line 25, after "6-1.1-20-3.2" delete "." and insert **"(in the
7 case of a controlled project costing:**

8 **(i) less than two percent (2%) of the total assessed value
9 of all taxable property in the political subdivision;**

10 **(ii) more than two million dollars (\$2,000,000); and**

11 **(iii) less than fifty million dollars (\$50,000,000)); or**

12 **(C) IC 6-1.1-20-3.5 through IC 6-1.1-20-3.6 (in the case of
13 a controlled project costing at least:**

14 **(i) two percent (2%) of the total assessed value of all
15 taxable property in the political subdivision; or**

16 **(ii) fifty million dollars (\$50,000,000))."**

17 Page 79, between lines 33 and 34, begin a new paragraph and insert:

18 "SECTION 92. IC 6-1.1-20-1.1 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1.1. As used in this
20 chapter, "controlled project" means any project financed by bonds or
21 a lease, except for the following:

22 (1) A project for which the political subdivision reasonably
23 expects to pay:

24 (A) debt service; or

25 (B) lease rentals;

26 from funds other than property taxes that are exempt from the levy
27 limitations of IC 6-1.1-18.5 or IC 6-1.1-19. A project is not a
28 controlled project even though the political subdivision has
29 pledged to levy property taxes to pay the debt service or lease
30 rentals if those other funds are insufficient.

31 (2) A project that will ~~not~~ cost the political subdivision ~~more~~ less
32 than:

33 **(A) two million dollars (\$2,000,000); and**

34 **(B) two percent (2%) of the total assessed value of all
35 taxable property in the political subdivision.**

36 (3) A project that is being refinanced for the purpose of providing
37 gross or net present value savings to taxpayers.

38 (4) A project for which bonds were issued or leases were entered
39 into before January 1, 1996, or where the state board of tax
40 commissioners has approved the issuance of bonds or the
41 execution of leases before January 1, 1996.

42 (5) A project that is required by a court order holding that a
43 federal law mandates the project."

44 Page 79, line 37, delete "subdivision less than ten million dollars
45 (\$10,000,000)." and insert **"subdivision:**

46 **(1) less than two percent (2%) of the total assessed value of all
47 taxable property in the political subdivision;**

- (2) more than two million dollars (\$2,000,000); and
 (3) less than fifty million dollars (\$50,000,000)."

Page 84, delete lines 24 through 28, begin a new line block indented and insert:

- "(1) that will cost a political subdivision at least:
 (A) two percent (2%) of the total assessed value of all taxable property in the political subdivision; or
 (B) fifty million dollars (\$50,000,000); and
 (2) for which the proper officers of the political subdivision make a preliminary determination to issue bonds or enter into a lease after June 30, 2006."

Page 87, line 20, delete "at the" and insert "at:

- (1) the next election in which all voters of the political subdivision are entitled to vote; or
 (2) if a request for a special election is made in:
 (A) a petition filed under section 3.5 of this chapter in the form required by IC 3-10-9-6; or
 (B) a resolution of the political subdivision that states the day of the election for which the political subdivision seek the placement of the question on the ballot and is filed with the county election board in conformity with IC 3-10-9-3; for a year in which an election in which all of the voters of the political subdivision are entitled to vote is not otherwise regularly scheduled, a special election held on the date ordered by the county election board.

The county election board shall pay the costs of a special election. A political subdivision shall reimburse the county election board from money in the political subdivision's general fund that is not otherwise appropriated, without appropriation, if a special election occurs under this section."

Page 86, delete lines 21 through 22.

Page 106, line 25, after "which" insert "deferred".

Page 106, line 26, delete "are deferred" and insert "become due".

Page 136, line 34, delete "first" and insert "March 1, 2005, or January 15, 2006,".

Page 136, line 34, delete "after" and insert ", whichever is applicable,".

Page 136, line 35, delete "January 15, 2001,".

Page 136, line 35, delete "lesser of the" and insert "homestead property tax liability for the March 1, 2005, or January 1, 2006, assessment date, whichever is applicable.".

Page 136, delete lines 36 through 41.

Page 155, line 35, delete "division" and insert "department of child services".

Page 156, line 12, delete "or" and insert ";".

Page 156, line 13, delete "the division;".

- 1 Page 156, line 15, delete "or" and insert ".".
- 2 Page 156, delete line 16.
- 3 Page 156, line 32, delete "or division".
- 4 Page 168, line 27, delete "board less than ten million dollars" and
- 5 insert **"board:**
- 6 **(A) less than two percent (2%) of the total assessed value**
- 7 **of all taxable property in the political subdivision;**
- 8 **(B) more than two million dollars (\$2,000,000); and**
- 9 **(C) less than fifty million dollars (\$50,000,000)); or**
- 10 **(2) vote on the proposed issuance in an election on a local**
- 11 **public question (in the case of a preliminary determination**
- 12 **made after June 30, 2006, to issue bonds for a project costing**
- 13 **the board at least:**
- 14 **(A) two percent (2%) of the total assessed value of all**
- 15 **taxable property in the political subdivision; or**
- 16 **(B) fifty million dollars (\$50,000,000))."**
- 17 Page 168, delete lines 28 through 32.
- 18 Page 169, delete lines 9 through 42.
- 19 Delete pages 170 through 171.
- 20 Page 172, delete lines 1 through 34.
- 21 Page 183, line 39, delete "corporation less than ten million dollars"
- 22 and insert **"corporation:**
- 23 **(i) less than two percent (2%) of the total assessed value**
- 24 **of all taxable property in the political subdivision;**
- 25 **(ii) more than two million dollars (\$2,000,000); and**
- 26 **(iii) less than fifty million dollars (\$50,000,000)); or**
- 27 **(B) an election on the local public question (in the case of**
- 28 **a preliminary determination made after June 30, 2006, to**
- 29 **enter into a lease costing the school corporation at least:**
- 30 **(i) two percent (2%) of the total assessed value of all**
- 31 **taxable property in the political subdivision; or**
- 32 **(ii) fifty million dollars (\$50,000,000)); and"**
- 33 Page 183, delete lines 40 through 42.
- 34 Page 184, delete lines 1 and 2.
- 35 Page 238, delete lines 6 through 42.
- 36 Page 239, delete lines 1 through 26.
- 37 Page 254, delete lines 4 through 27.
- 38 Page 260, delete lines 12 through 19, begin a new line block
- 39 indented and insert:
- 40 **"(1) IC 8-22-3.5-10**
- 41 **(2) IC 36-7-14-39**
- 42 **(3) IC 36-7-14-39.5**
- 43 **(4) IC 36-7-15.1-26.5**
- 44 **(5) IC 36-7-15.1-35**
- 45 **(6) IC 36-7-15.1-56**
- 46 **(7) IC 36-7-30-25**
- 47 **(8) IC 36-7-30-27**

- 1 **(9) IC 36-7-30.5-30**
2 **(10) IC 36-7-30.5-32**
3 **(11) IC 36-7-32-18."**

4 Page 261, between lines 15 and 16, begin a new paragraph and
5 insert:

6 **"(c) IC 6-1.1-20-3.1 and IC 6-1.1-30-3.2, as effective June 30,**
7 **2006, and not IC 6-1.1-30-3.5 and IC 6-1.1-20-3.6, both as added by**
8 **this act, apply to a controlled project (as defined in IC 6-1.1-20-1.1,**
9 **as effective June 30, 2006) for which a notice of the preliminary**
10 **determination of the political subdivision to issue bonds or enter**
11 **into a lease is published under IC 6-1.1-20-3.1 before July 1, 2006."**

12 Renummer all SECTIONS consecutively.

(Reference is to HB 1001 as printed January 18, 2006.)

Representative Espich